

## REPORT

### Council

Meeting Date: June 19, 2023

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**FROM:** Clerk's Department

**DATE:** June 6, 2023

**SUBJECT:** 2022 Closed Meeting Statistics

**LOCATION:**

**WARD:**

Page 1

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#### RECOMMENDATION:

That the information in the report entitled *2022 Closed Meetings Statistics* dated June 6, 2023, from the Clerk's department, be received.

#### KEY FACTS:

The following are key points for consideration with respect to this report:

- Section 239 of the *Municipal Act* implements the requirement for transparency and accountability of municipalities.
- Council has an ongoing service agreement with LAS (Local Authority Services Ltd.) a subsidiary company of the Association of Municipalities of Ontario (AMO), to provide closed meeting investigation services to meet the requirements of the *Municipal Act*.
- There have been no requests for closed meeting investigations received by the town to date.
- As part of continued efforts to address transparency and accountability, the Clerk's department submits an annual report addressing previous years' statistics with regard to regular and closed meeting sessions and associated enhancements to procedures.

#### BACKGROUND:

Section 239 (1) of the *Municipal Act* requires that all regular or special meetings of Council or local boards or a committee of either, shall be open to the public. Section 239 (2) provides exceptions to this requirement, permitting a meeting to be closed to the public and these exceptions are also listed in the Town's Procedure By-law Section 6.

Prior to proceeding into a closed meeting session, Council is required to pass a resolution stating the fact that a closed meeting is to be held and the general nature of the matter to be considered.

**COMMENT/OPTIONS:**

Appendix A, indicates the total number of all council and standing committee sessions from 2019 to the end of 2022, the duration of each meeting in total, along with the portion of those meetings spent in closed session. In 2019 Council passed a motion to disband the Administrative Service and Community Services Committees effective January 1, 2020 and that these items would go directly to Council meetings for consideration.

In 2022 there were an additional four special meetings of Council dealing with various matters; Transit labour relations, housing, part lot control by-law, Parks and Open Space Strategy. Planning and Development Council had two special meetings, one being the February 14<sup>th</sup> meeting that was moved to a Special Planning meeting on February 15 due to Hazel McCallion's funeral and the other was to deal with the Parks Plan 2031 and Parkland Dedication By-law. There were also two additional regular planning meetings added to the schedule to meet application deadlines and one reconvening meeting.

The 2022 Municipal Election was held on October 24, 2022 and Planning and Development Council meetings were not held during the months of October and November due to the election. The 2023 Budget Committee meetings were also not held in 2022 due to the municipal election.

Council entered into four closed sessions in 2022 for a total of 2.87 hours, Planning and Development Council entered into three closed sessions for a total of 2.23 hours. These sessions dealt with matters pertaining to litigation or potential litigation, including matters before administrative tribunals affecting the municipality or board, advice that is subject to solicitor-client privilege, including communications necessary for that purpose, personal matters about an identifiable individual, including municipal or local board employees, and dealing with labour relations or employee negotiations. When dealing with confidential matters, in most cases, the confidential staff report title was noted on the public agenda, improving the level of transparency to the public instead of noting the confidential reason for proceeding into closed session.

In an effort to increase transparency, there is a public report and then a separate confidential report is prepared to deal with confidential issues relevant to the exceptions allowed by the *Municipal Act* being circulated as confidential documentation.

In addition to reviewing the closed meeting statistics, staff also undertook a review of the instances where the requirements of the Procedure By-law were waived at either Council or Planning & Development Council meetings. The Procedure By-law was waived on 11 occasions; five times at Planning and Development Council to consider New Business items, Notice of Motions and a Request for Report which cannot be introduced at planning meetings and to allow a delegation to attend the meeting virtually who had not registered by the deadline, and six times at Council to permit the consideration of Notices of Motions upon their introduction that evening.

**CONSIDERATIONS:**

**(A) PUBLIC**

The provision of an annual report on closed meeting sessions enhances information available to the public and furthers accountability and transparency efforts.

**(B) FINANCIAL**

There are no financial implications associated with this report.

**(C) IMPACT ON OTHER DEPARTMENTS & USERS**

There is no impact on other departments. Clerk's department staff will continue to monitor closed meeting sessions on an ongoing basis to enable the submission of this report on an annual basis.

**(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goal(s) to:

- To be accountable in everything we do

**(E) CLIMATE CHANGE/ACTION**

N/A

**APPENDICES:**

Appendix A – Length of Meetings

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